

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

V.

NICKOYAN WALLACE

TIMI WALLACE

CR. 00 122

In violation of 18 U.S.C.
 §§ 2, 922(u),
 924(c)(1)(A)(ii),
 and 1951

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U.S. DISTRICT COURT
DISTRICT OF R.I.

INDICTMENT

The Grand Jury charges:

COUNT 1

On September 25, 2000 in the District of Rhode Island the defendants, NICKOYAN WALLACE and TIMI WALLACE, did unlawfully obstruct, delay and affect, and attempt to obstruct, delay, and affect commerce as that term is defined in 18 U.S.C. § 1951, and the movement of articles and commodities in such commerce, by robbery as that term is defined in 18 U.S.C. § 1951, in that the defendants, NICKOYAN WALLACE and TIMI WALLACE, did unlawfully take and obtain six firearms by robbery, to wit: a Ruger .45 caliber model P97 pistol, serial number 663-22891; a Magnum Research, Inc. model Desert Eagle .50 caliber pistol, serial number 30200080; a Colt model 1911A1 .45 caliber pistol, serial number 1102173; a Para-Ordinance model P13 .45 caliber pistol, serial number PK3014; a Springfield Armory model 1911 .45 caliber pistol, serial number N360585; and a Smith & Wesson model 4006 .40 caliber pistol, serial number THC1083; from D & B Guns.

In violation of 18 U.S.C. §§ 2 and 1951.

COUNT 2

From a time unknown up to and including on or about September 25, 2000, in the District of Rhode Island, the defendants, NICKOYAN WALLACE and TIMI WALLACE, knowingly and willfully combined, conspired, confederated and agreed with each other to obstruct, delay, and affect commerce as that term is defined in 18 U.S.C. § 1951, and the movement of articles and commodities in such commerce, by robbery as that term is defined in 18 U.S.C. § 1951.

It was part of this conspiracy that on or about September 25, 2000, that the defendants, NICKOYAN WALLACE and TIMI WALLACE, possessed a TEC 9 pistol in Providence, Rhode Island.

It was part of this conspiracy that the defendants, NICKOYAN WALLACE and TIMI WALLACE, entered D & B Guns, brandished firearms and took therefrom six firearms.

It was part of this conspiracy that the defendants, NICKOYAN WALLACE and TIMI WALLACE, secreted five of the six stolen firearms, to wit: a Ruger .45 caliber model P97 pistol, serial number 663-22891; a Magnum Research, Inc. model Desert Eagle .50 caliber pistol, serial number 30200080; a Colt model 1911 .45 caliber pistol, serial number 1102173; a Springfield Armory model 1911A1 .45 caliber pistol, serial number N360585; and a Smith & Wesson model 4006 .40 caliber pistol, serial number THC1083; at the third floor apartment at 181 Pleasant Street, Providence, Rhode Island.

It was part of this conspiracy that the defendants, NICKOYAN WALLACE and TIMI WALLACE, secreted a TEC 9 used during the robbery, to wit: a Luger TEC-DC9 9mm pistol with an obliterated serial number; at the third floor apartment at 181 Pleasant Street, Providence,

Rhode Island.

In violation of 18 U.S.C. § 1951.

COUNT 3

On or about September 25, 2000, in the District of Rhode Island, the defendants, NICKOYAN WALLACE and TIMI WALLACE, knowingly stole, and unlawfully took and carried away from D & B Guns, a licensed dealer, FFL # 605004012B00689, six firearms to wit: a Ruger .45 caliber model P97 pistol, serial number 663-22891; a Magnum Research, Inc. model Desert Eagle .50 caliber pistol, serial number 30200080; a Colt model 1911 .45 caliber pistol, serial number 1102173; a Para-Ordinance model P13 .45 caliber pistol, serial number PK3014; a Springfield Armory model 1911A1 .45 caliber pistol, serial number N360585; and a Smith & Wesson model 4006 .40 caliber pistol, serial number THC1083; said firearms having been in the business inventory of D & B Guns that had been shipped and transported in interstate and foreign commerce.

In violation of 18 U.S.C. §§ 2 and 922(u).


COUNT 4

On or about September 25, 2000, in the District of Rhode Island, the defendants, NICKOYAN WALLACE and TIMI WALLACE, knowingly used and carried and brandished firearms to wit: a Luger TEC-DC9, 9mm semi-automatic pistol, with an obliterated serial number; and a .45 caliber pistol; during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, to wit:

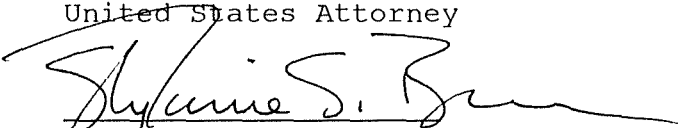
armed robbery of a federally licensed firearms dealer, in violation
of 18 U.S.C. §§ 2 and 1951.

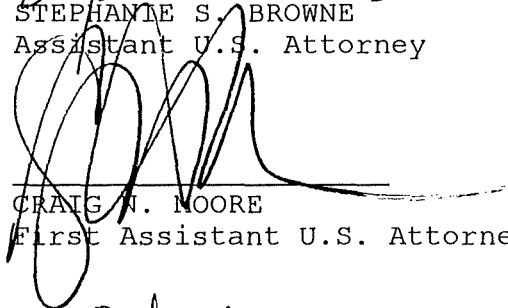
In violation of 18 U.S.C. §§ 2 and 924(c)(1)(A)(ii).

A TRUE BILL:


Foreman

MARGARET E. CURRAN
United States Attorney


STEPHANIE S. BROWNE
Assistant U.S. Attorney


CRAIG N. MOORE
First Assistant U.S. Attorney

18 Oct 00
Date